

REMARKS

In this paper, claim 1 is currently amended. After entry of the above amendment, claims 1, 3-24 and 26 are pending, with claim 22 temporarily withdrawn from consideration, and claims 2 and 25 have been canceled.

Claims 1, 3-21, 23, 24 and 26 were rejected under 35 U.S.C. §102(b) as being anticipated by Troiano (US 6,105,459). This basis for rejection is respectfully traversed.

Claim 1 has been amended to clarify that first engaging member pivots around an axle mounted to the first engaging member; wherein movement of the first engaging member in response to movement of the second engaging member causes the axle to move so as to change a distance between the axle and the location of the application of the biasing force on the first engaging member.

Troiano discloses a parking brake device for a vehicle. The device comprises a fixed structure (24), a cable actuator (20) pivotably mounted to fixed structure (24) through a shaft (26), a pawl shaft (31) attached to fixed structure (20), a pawl member (32) that includes a slot (36) for slidably receiving pawl shaft (31) therein so that pawl member (32) can rotate and translate relative to pawl shaft (31), a release lever (46) pivotably mounted to fixed structure (24) through a release shaft (47), a release actuator (19) slidably mounted to fixed structure (24) for controlling the pivoting of release lever (46), and a spring (45) that biases release actuator (19) to a home position. Pawl member (32) includes a pawl tooth (34) that engages selected ones of a plurality of pawl teeth (30) disposed on cable actuator (20).

The office action refers to the positions of the device shown in Figs. 3 and 4. When the device is in the position shown in Fig. 3, a cam portion (48) of release lever (46) engages a follower portion (50) of pawl member (32) slightly above the lower tip of follower portion (50), thereby applying a biasing force to pawl member (32) at a first biasing location. When the device is in the position shown in Fig. 4, cam portion (48) of release lever (46) engages follower portion (50) of pawl member (32) at the lower tip of follower portion (50), thereby applying a biasing force to pawl

member (32) at a second biasing location. However, Troiano does not apply the biasing forces to the first and second locations on pawl member (32) as a result of movement of an axle mounted to the first engaging member (interpreted to be pawl member (32)) so that the axle is carried by the first engaging member and moves therewith. Troiano's pawl shaft (31) is attached to fixed structure (24) and does not move with pawl member (32). Thus, Troiano neither discloses nor suggests the subject matter recited in claim 1 or in the dependent claims.

Claims 1, 3-21, 23, 24 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Troiano. This basis for rejection is respectfully traversed for the same reasons noted above.

Accordingly, it is believed that the rejections under 35 U.S.C. §102 and §103 have been overcome by the foregoing amendment and remarks, and it is submitted that the claims are in condition for allowance. Reconsideration of this application as amended is respectfully requested. Allowance of all claims is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James A. Deland", written in a cursive style.

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